REMARKS

Claims 1-31 are all the claims pending in the application. By this Amendment, Applicant adds claims 29-31, which are clearly supported throughout the specification.

I. Summary of Office Action

Claims 2-12, 14, 18, 21-23, 25, and 27 contain allowable subject matter. Claims 1, 15-17, 19, 20, 24, 26, and 28 are rejected under 35 U.S.C. § 102.

The Examiner indicated that claim 13 is rejected but no rejection of claim 13 is provided. Accordingly, Applicant assumes that claim 13 is allowed. If Applicant's understanding is inaccurate, a new non-final Office Action is respectfully requested.

II. Claim Rejection under 35 U.S.C. § 102

Claims 1, 15-17, 19, 20, 24, 26 and 28 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,987,619 to Hamamoto et al. (hereinafter "Hamamoto"). Applicant respectfully traverses this rejection in view of at least the following exemplary comments.

As a preliminary matter, Applicant respectfully notes that claim 28 depends on claim 13. Since claim 13 is allowed, claim 28 is allowable at least by virtue of its dependency. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 28.

Claim 1 *inter alia* recites "adjusting means for the phase adjustment of the second delay means, so that the delayed second clock signal is adapted to the phase of the delayed first clock signal at an output end of the first delay means." The Examiner contends that Hamamoto discloses these unique features of claim 1 (*see* page 4 of the Office Action). In particular, the Examiner alleges that Hamamoto discloses that one delayed internal clock signal (FCLK)

matches another delayed internal clock (BCLK), (*see* pages 2-3 of the Office Action). Applicant respectfully submits that the alleged "match" is not in phases. Applicant respectfully submits that Hamamoto discloses that the two signals FCLK and BCLK will have different phases, as explained in greater detail below.

Specifically, Hamamoto discloses that two variable delay circuits 5 are controlled by a phase comparator 29. The delay circuits 5 receive FCLK and BCLK signals, respectively. The clock signal BCLK is phase shifted by 180 degrees from the clock signal FCLK. These clock signals FCLK and BCLK are input into corresponding variable delay circuits 5 and delayed by a common time Dv. Hamamoto further discloses signals output from variable delay circuits 5 are delayed for a common time Dp by wiring resistances 9, 11, and clock signals FDCLK and BDCLK are generated. In Hamamoto, however, there is no disclosure or suggestion that the clock signals FCLK and BCLK (*alleged* first and second clock signals) are phase adjusted. On the contrary, the clock signals are phase shifted by 180 degrees (Figs. 7 and 8A to 8H; col. 5, lines 57 to 65 and col. 6, lines 11 to 39). Accordingly, if the Examiner alleges that FDCLK and BDCLK are the alleged clock signals, it is visible that these signals are not phase adjusted but phase shifted by 180 degrees.

Furthermore, in Hamamoto, the phase comparator 29 (alleged adjusting means) determines a common delay time Dv for delaying both clock signals in two variable delay circuits so as to match phases of clock signal FDCLK and monitored write data signal MWD (Fig. 7; col. 6, lines 38 to 42). In other words, Hamamoto discloses that the phase comparator adjusts both delay circuits 5 with an appropriate same delay time. However, there is no disclosure or even remote suggest that the clock signals FCLK and BCLK are phase adjusted. In other words, in Hamamoto, there is no disclosure or suggestion that the phase comparator 29

eliminates the 180 degree shift between the signals FCLK and BCLK. In short, in Hamamoto, the phase comparator 29 (*alleged* adjusting means) does not adjust the variable delay circuit 5 so that the delayed signal FCLK adopts to the phase of the delayed signal BCLK. In fact, it is explicitly disclosed that the signal BCLK is phase shifted with respect to the signal FCLK.

Therefore, "adjusting means for the phase adjustment of the second delay means, so that the delayed second clock signal is adapted to the phase of the delayed first clock signal at an output end of the first delay means," as set forth in claim 1 is not disclosed by Hamamoto, which lacks having the phase comparator 29 adjust the phase of the delayed BCLK signal to the phase of the FCLK signal or vice versa. For at least these exemplary reasons, claim 1 is patentably distinguishable from Hamamoto. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1.

Independent claim 15 recites features similar to, although not necessarily coextensive with, the features argued above with respect to claim 1. Therefore, arguments presented with respect to claim 1 are respectfully submitted to apply with equal force here. For at least substantially analogous exemplary reasons, therefore, independent claim 15 is patentably distinguishable from Hamamoto. Claims 16, 17, 19, 20, 24, and 26 are patentable by virtue of their dependency on claim 1 or 15.

In addition, dependent claim 24 recites "wherein the predetermined second delay time is different than the predetermined first delay time." The Examiner contends that Hamamoto somehow discloses different delay in the delay circuits 5 (*see* page 2 of the Office Action). Applicant respectfully disagrees. Applicant respectfully directs the Examiner's attention to the Hamamoto's disclosure that the delay time Dv of the delay circuits 5 is fixed (col. 5, lines 55 to 65). In other words, the delay time Dv is common to both delay circuits 5 (col. 6, lines 38 to 48).

For at least this additional exemplary reason, claim 24 is patentably distinguishable from Hamamoto.

III. Allowable Subject Matter

Claims 2, 10, 13, 14, 18, and 21-23 are allowed. Claims 3-9, 11, 12, 25, and 27 contain allowable subject matter. Applicant does not acquiesce to the Examiner's reasons for allowance.

IV. New Claims

In order to provide more varied protection, Applicant adds claims 29-31, which are patentable at least by virtue of their dependency on claim 1.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Nataliya Dvorson/
Nataliya Dvorson
Registration No. 56,616

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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